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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JON M. McCREARY, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

CELERA CORP., KATHY P. ORDOÑEZ,
WILLIAM G. GREEN, RICHARD H.
AYERS, JEAN-LUC BÉLINGARD, GAIL
K. NAUGHTON, WAYNE I. ROE, PETER
BARTON HUTT, BENNETT M. SHAPIRO,
QUEST DIAGNOSTICS, INC. and SPARK
ACQUISITION CORPORATION,

Defendants.

Case Number: CV-11-1618-SC

**PLAINTIFF JON M. McCREARY'S
NOTICE OF MOTION AND MOTION
FOR A PRELIMINARY INJUNCTION
AND EXPEDITED DISCOVERY**

Judge: Hon. Samuel Conti

Hearing Date: May 27, 2011
Hearing Time: 10:00 a.m.
Ctroom: 1, 17th Floor

Date Action Filed: April 1, 2011

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on a date and time to be determined by the Court, located at 450 Golden Gate Avenue, San Francisco, California, in Courtroom 1, 17th Floor, plaintiff Jon M. McCreary (“Plaintiff”), will move the Court for an Order granting a preliminary injunction to enjoin the shareholder vote, currently set for April 25, 2011, and ordering expedited discovery, concerning the proposed acquisition of Celera Corp. (“Celera”) by Quest Diagnostics, Inc. (“Quest”) for \$8.00 per share in cash, representing an aggregate deal value of approximately \$671 million.

Plaintiff’s Motion is based upon this instant Notice of Motion and Motion, the Memorandum of Points and Authorities filed in support herewith, the supporting Declaration of Juan E. Monteverde, and all papers previously filed herein as well as such other papers, evidence, materials and argument as the Court may consider.

Dated: April 5, 2011

FARUQI & FARUQI, LLP

By: /s/Vahn Alexander
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